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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 13 (c)

CONCLUDING ITEMS: ADOPTION OF THE REPORT ON
THE FORTY-NINTH SESSION

Draft report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-ninth session

Rapporteur: Mr. Marc Bossuyt

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* E/CN.4/Sub.2/1997/L.10 and Addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights, will be contained in documents E/CN.4/Sub.2/1997/L.11 and Addenda.

GE.97-13931 (E)

III. ORGANIZATION OF THE FORTY-NINTH SESSION

A. Opening and duration of the session

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities held its forty-ninth session at the United Nations Office at Geneva from 4 to 29 August 1997. It held ... meetings (E/CN.4/Sub.2/1997/SR...) during the session.

2. The session was opened by Mr. Asbjörn Eide, Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-eighth session, who made a statement. The Officer-in-Charge, High Commissioner/Centre for Human Rights, Mr. Ralph Zacklin, also addressed the Sub-Commission at its 1st meeting, on 4 August 1997.

B. Attendance

3. The session was attended by members of the Sub-Commission, by observers for States Members of the United Nations, by observers for non-member States and a national liberation movement and by representatives of United Nations bodies, specialized agencies, intergovernmental and non-governmental and other organizations. The attendance list is given in annex ... to the present report.

C. Election of officers

4. At its 1st meeting, on 4 August 1997, the Sub-Commission elected the following officers by acclamation:

Chairman:	Mr. José Bengoa
Vice-Chairpersons:	Mr. Ioan Maxim Mr. Sang Yong Park Ms. Halima Embarek Warzazi
Rapporteur:	Mr. Marc Bossuyt

D. Adoption of the agenda

5. At its 1st meeting, the Sub-Commission had before it a note by the Secretary-General containing the provisional agenda for the forty-ninth session (E/CN.4/Sub.2/1997/1), drawn up in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the draft provisional agenda considered by the Sub-Commission at its forty-eighth session in accordance with paragraph 3 of the Economic and Social Council resolution 1894 (LVII). The provisional agenda read as follows:

Provisional agenda

1. Organization of work:

   (a) Election of officers;

   (b) Adoption of the agenda;

   (c) Methods of work of the Sub-Commission.

2. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII).

3. Comprehensive examination of thematic issues relating to the elimination of racial discrimination:

   (a) Situation of migrant workers and members of their families;

   (b) Xenophobia.

4. The realization of economic, social and cultural rights:

   (a) The international economic order and the promotion of human rights;

   (b) The realization of the right to development;

   (c) The question of transnational corporations.

5. The implementation of the human rights of women:

   (a) Traditional practices affecting the health of women and children;

   (b) The role and equal protection of women in development.

6. Contemporary forms of slavery.

7. Human rights of indigenous peoples.

8. Protection of minorities.

9. The administration of justice and the human rights of detainees:

   (a) Question of human rights and states of emergency;

   (b) Application of international standards concerning the human rights of detained juveniles.

10. Freedom of movement:

(a) Population displacements;

(b) The right to leave and seek asylum and the right to return.

11. Review of further developments in fields with which the Sub-Commission has been or may be concerned:

(a) Review of developments related to recommendations made in earlier studies:

(i) Promotion, protection and restoration of human rights at national, regional and international levels;

(ii) Elimination of all forms of intolerance and of discrimination based on religion or belief;

(iii) Encouragement of universal acceptance of human rights instruments;

(b) Review of issues not previously the subject of studies but which the Sub-Commission had decided to examine:

(i) Terrorism and human rights;

(ii) International peace and security as an essential condition for the enjoyment of human rights, above all the right to life;

(c) Other new developments.

12. Communications concerning human rights; report of the Working Group established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XLVIII).

13. Concluding items:

(a) Consideration of the future work of the Sub-Commission and of the draft provisional agenda for the fiftieth session of the Sub-Commission;

(b) Adoption of the report on the forty-ninth session.

6. At its 1st and 2nd meetings, statements with regard to the provisional agenda were made by Mr. Alfonso Martínez (1st, 2nd), Mr. Ali Khan (2nd), Mr. Bossuyt (2nd), Mr. Chernichenko (2nd), Ms. Daes (1st), Mr. Eide (2nd), Mr. El-Hajjé (2nd), Ms. Forero Ucros (2nd), Mr. Guissé (2nd), Ms. Gwanmesia (2nd), Mr. Hatano (1st), Mr. Joinet (1st, 2nd), Mr. Mehedi (2nd), Ms. Palley (1st, 2nd), Mr. Park (1st), Ms. Warzazi (2nd), Mr. Weissbrodt (2nd).

7. At its 3rd meeting, the Sub-Commission had before it an informal document containing revisions to the provisional agenda proposed by the Bureau. Statements with regard to the proposed revisions were made by Mr. Alfonso Martínez, Mr. Ali Khan, Mr. Bossuyt, Mr. Chernichenko, Ms. Daes, Mr. Eide, Mr. El-Hajjé, Mr. Fan Guoxiang, Ms. Forero Ucros, Mr. Guissé, Ms. Gwanmesia, Mr. Joinet, Mr. Maxim, Mr. Mehedi, Ms. Palley, Ms. Warzazi, and Mr. Weissbrodt.

8. At the same meeting, the Sub-Commission decided to amend the provisional agenda in accordance with the proposals made by members. For the text of the decision, see chapter I, section B, decision 1997/101.

9. For the text of the agenda as adopted, see annex I to the present report.

E. Organization of work

10. At the 2nd meeting, upon the recommendation of its officers, the Sub-Commission decided to establish a sessional working group on the administration of justice under agenda item 9. For the text of the decision, see chapter II, section B, decision 1997/102.

11. At the same meeting, upon the recommendation of its officers, the Sub-Commission decided to invite two special rapporteurs to participate in the meetings at which their reports were to be considered. For the text of the decision, see chapter II, section B, decision 1997/103.

12. At its 3rd meeting, on 5 August 1997, the Sub-Commission decided, without a vote, to establish a sessional working group on the methods of work of the Sub-Commission under agenda item 1 (c). For the text of the decision, see chapter II, section B, decision 1997/104.

F. Meetings, resolutions and documentation

13. Written communications transmitted by Governments and non-governmental organizations for circulation at the forty-ninth session of the Sub-Commission are mentioned in annex ... containing the list of documents issued for the forty-ninth session.

14. The Sub-Commission adopted resolutions ... to .... and took ... decisions. The texts of these resolutions and decisions appear in chapter II, sections A and B, respectively. Draft decisions for action or consideration by the Commission on Human Rights are set out in chapter I.

15. Information concerning the administrative and programme budget implications of the resolutions and decisions adopted by the Sub-Commission at its forty-ninth session is provided in annex ... .

16. A list of the resolutions and decisions referring to matters drawn to the attention of the Commission on Human Rights is contained in annex ... .

17. A list of studies completed at the forty-ninth session and of ongoing studies, drawn up in accordance with Commission on Human Rights resolution 1982/23, appears in annex ... .

18. A list of documents issued for the forty-ninth session of the Sub-Commission appears in annex ... .

G. Methods of work of the Sub-Commission

19. The Sub-Commission considered sub-item 1 (c) of the agenda at its 3rd, 6th, 15th, 27th and 35th meetings on 5, 7, 14, 22 and 27 August 1997 (See also para. ... and decision 1997/104).

20. At its 35th meeting, on 27 August 1997, at the proposal of Mr. Alfonso Martínez, the Sub-Commission decided to take note of conference room paper E/CN.4/Sub.2/1997/CRP.2 on criteria for new studies, and to annex the criteria to the guidelines concerning its methods of work. For the text of the decision see chapter II, section B, decision 1997/108.

H. Other matters

21. At the 1st meeting, on 4 August 1997, in accordance with decision 1994/103 of the Sub-Commission, the Chairman, Mr. Bengoa, proposed that the Sub-Commission observe a minute of silence in honour of the victims of all forms of violations of human rights in all regions of the world. At the same meeting, the Sub-Commission observed a minute of silence.

Methods of work of the Sub-Commission regarding agenda item 2

22. At its 35th meeting, on 27 August 1997, the Sub-Commission considered draft decision E/CN.4/Sub.2/1997/L.43, sponsored by Mr. Bossuyt, Mr. Chernichenko and Mr. Lindgren Alves. Mr. Joinet subsequently joined the sponsors.

23. Mr. Joinet orally amended the draft decision by replacing, in the French version, the word "mesure", with the words "résolution ou décision".

24. Statements in connection with the draft decision or the amendment thereto were made by Mr. Alfonso Martínez, Mr. Bossuyt, Mr. Chernichenko, Mr. Khalil, Mr. Joinet, Mr. Lindgren Alves and Mr. Yimer.

25. The draft decision was adopted without a vote. For the text of the decision see chapter II, section B, decision 1997/... .

Methods of work of the Sub-Commission

26. At its 35th meeting, on 27 August 1997, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1997/L.45, sponsored by Mr. Alfonso Martínez, Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Eide, Mr. El-Hajjé, Mr. Fan Guoxiang, Mr. Fix Zamudio, Mr. Guissé, Ms. Gwanmesia, Mr. Khalil, Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Mr. Park, Ms. Warzazi, Mr. Weissbrodt and Mr. Yimer.

27. The draft resolution was adopted without a vote. For the text of the resolution see chapter II, section A, resolution 1997/16.

Organization of the sessions of the Sub-Commission

28. At its 35th meeting, on 27 August, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1997/L.55, sponsored by Mr. Alfonso Martínez, Ms. Attah, Mr. Bossuyt, Mr. Diaz Uribe, Mr. El-Hajjé, Mr. Fix Zamudio, Mr. Guissé, Ms. Gwanmesia, Mr. Khalil, Mr. Maxim and Mr. Mehedi. Mr. Ali Khan subsequently joined the sponsors and Mr. El-Hajjé withdrew his sponsorship.

29. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez, Mr. Fan Guoxiang, Mr. Guissé, Ms. Gwanmesia, Mr. Joinet, Mr. Lindgren Alves, Ms. Palley, Mr. Park, Mr. Weissbrodt and Mr. Yimer.

30. On the proposal of Mr. Weissbrodt, a roll-call vote was taken. The draft resolution was adopted by 12 votes to 7, with 5 abstentions. For the text of the resolution see chapter II, section A, resolution 1997/17.